

REMARKS

In a Final Office Action dated August 3, 2005, claims 18, 21, 23 and 25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hussain in view of Howard; claims 19 and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hussain and Howard and further in view of Barron; claim 20 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Hussain and Howard and further in view of alleged Applicant's Admission of Prior Art (AAPA); claims 22 and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hussain and Howard and further in view of Ceccherelli; and claims 1-3, 5-9 and 11-17 were allowed.

In the Final Office Action, the Examiner refers to the language in Howard beginning on line 56 of column 2 and extending to line 4 of column 3 and contends this language provides the alleged suggestion or motivation for the modification of Hussain's computer system to derive the claimed invention. Final Office Action, 8-9. However, Applicant respectfully requests the Examiner to reconsider the remaining § 103(a) rejections (all of which are based at least on the combination of Howard and Hussain) for at least the following reasons.

Howard is directed solely to a *power management* technique to *conserve power* in a computer system (*emphasis added*). Thus, the cited language from Howard pertains to shutting down processors, I/O controllers, memory controllers, etc., but this "shut down" does not occur in the context of shutting down the entire computer system. Such a complete shut down would defeat the purpose of Howard's power management technique, a technique that turns off parts of the computer system based on the work load. *See, for example*, Howard, 5:7-22.

Hussain is directed to shutting down a computer system when a thermal event is encountered. Thus, contrary to Howard, Hussain is directed to the *complete shut down* of the computer system, not to a technique to conserve power in the computer system (*emphasis added*). As such, the hypothetical combination of Hussain and Howard fails to teach or suggest the claimed invention, in that there is no motivation of suggestion or suggestion to modify Hussain's system shut down technique to shut down a particular processor before the rest of the computer system. In other words, the selective processor shut down that is disclosed in Howard pertains to merely conserving power in that only the minimum number of processors are kept active in Howard. Howard is not however, directed to an order in which circuitry is turned off in

the complete shut down of a computer system. Thus, Howard fails to provide guidance of how components should be turned off in response to a thermal event. Rather, the Office Action is improperly combining elements from Howard and Hussain in hindsight to derive the claimed invention.

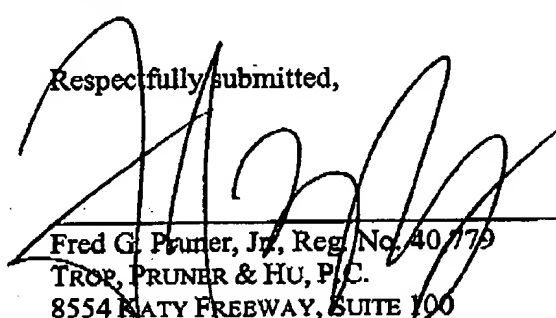
Therefore, for at least the reason that the hypothetical combination of Howard and Hussain fails to produce the claimed invention, withdrawal of the remaining § 103(a) rejections is respectfully requested.

CONCLUSION

In view of the foregoing, withdrawal of the § 103(a) rejections and a favorable action in the form of a Notice of Allowance are requested. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 20-1504 (ITL.0645US).

Respectfully submitted,

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